

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVANTS – Social Welfare Department – Allegations of corruption against Sri K.Nageshwar, Hostel Welfare Officer, SC Boys Hostel & incharge of BC Boys Hostel, Shankarampet-(A), Medak District – Sanction of Prosecution under Prevention of Corruption Act, 1988-Orders – Issued.

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SOCIAL WELFARE (SER.III.2) DEPARTMENT

G.O.Ms.No. 65

Dated.30-8-2010.

ORDER:

1. Whereas Sri K Nageshwar, working as Hostel Welfare Officer, Grade-II at SC Boys Hostel, Shankarampet (A) of Medak District from 26.04.2006 to 27.11.2009 and incharge of B.C. Welfare Boys Hostel, Shankarampet (A) from 24.12.2008 to 27.11.2009 and by virtue of the post held by him, he falls under the category of Public Servant as defined under section 2 (C) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

2. And whereas Sri Mohd Khazeem Hussain, S/o Mohd Abid Hussain, age 30 years, Occu: Business is a resident of Mothi Mahalla, Shankarampet (A), Medak district. His father Sri Mohd Abid Hussain let out their house bearing No. 14-54 at Shankarampet (A) to B.C. Boys Hostel on 01.01.2001 for Rs.2,474/- per month. Accordingly, they received the rent upto May, 2007. On 19.01.2007 his father made an application to the B.C. Welfare Officer, Medak district and based on the same the B.C.Welfare Officer has fixed the rent at Rs.4,377/- per month, w.e.f., 01.01.2001, vide Proc in Rc.No.D/722/2007 dated:06.11.2007. As such, the difference of rent calculated to Rs.1903/- per month is pending for making payment. When they asked the warden Sri Subbaiah for payment of arrears of rent he told that they do not have sufficient budget. As the said Warden Sri Subbaiah was transferred, Sri K.Nageshwar, Hostel Welfare Officer of SC Welfare Hostel was kept incharge of B.C. Welfare Hostel also. As Sri Mohd Khazee Hussain and his father came to know that the budget was released during the month of August, 2009. They went to Sri K. Nageshwar, several times and he paid Rs.26,528-00 (as per investigation the amount in Rs.26,262/-) towards building rent for 6 months on 12.10.2009, and as demand draft for Rs.39,393/- towards arrears of building rent on 06.11.2009. When enquired about the remaining amount of arrears, Sri K. Nageshwar avoided for the payment of the same on one or the other reasons. As Sri Mohd Abid Hussain was busy with his business, he has entrusted the work to Sri Mohd Khazeem Hussian. Since then Sri Mohd Khazeem Hussain was approaching the warden Sri K. Nageshwar every day and enquiring about the payment of balance amount. On 24.11.2009 Sri Mohd Khazeem Hussain approached Sri K. Nageshwar, Warden and asked about his arrears amount of rents, Sri K.Nageshwar, HWO demanded Rs.10,000/- as bribe for paying the balance arrears amount of rent. When Sri Mohd Khazeem Hussain expressed his inability to pay such amount as bribe, the warden reduced his demand to Rs.7000/- and asked to pay the same on 27.11.2009 at his house or hostel at the place decided by him. As there is no other go, Sri Mohd Khazeem Hussain accepted to pay the said amount as bribe. When Sri Mohd Khazeem hussain discussed with his father, Sri Mohd Abid Hussain advised his son Sri Mohd Khazeem Hussain to prefer complaint with ACB to take action against the Hostel Welfare Officer Sri K.Nageshwar.

3. And whereas Sri Mohd Khazeem Hussain attended the office of the Inspector, ACB at Sangareddy, and met the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad Range who was camping at Sangareddy and gave complaint against Sri K Nageshwar, Hostel Welfare Officer and the Deputy Superintendent of Police, Anti-Corruption Bureau, Nizamabad after due verification of the complaint of Sri Mohd Khazeem Hussain registered the complaint as case in Cr.No.29/ACB-NZB/2009 under section 7 of the Prevention of

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Corruption Act of 1988 on 27.11.2009 at 05.00 hours and investigated into the allegations made by the complainant.

4. AND whereas on 27.11.2009 Sri K Nageshwar, Hostel Welfare Officer of SC Boys Hostel and incharge to BC Welfare Boys Hostel, Shankarampet (A) was trapped at his Office at SC Boys Hostel, Shankarampet (A) when he demanded and accepted the tainted currency of Rs.7000/- from Sri Mohd Khazeem Hussain as illegal gratification other than legal remuneration. The Phenolphthalein test conducted over both the hand fingers of Sri K Nageshwar, Hostel Welfare Officer yielded positive result and the tainted currency of Rs.7000/- was recovered at the instance of Sri K. Nageshwar, Hostel Welfare Officer from the top of his table in the presence of Mediators and one Sri Dev Singh, Head Master. The contacted portion of the table cloth when subjected to Phenolphthalein test was also yielded positive result.

5. AND Whereas the said acts of Sri K.Nageshwar, Hostel Welfare Officer, SC Boys Hostel and incharge of BC Boys Hostel, Shankarampet (A) of Medak District during the relevant period i.e. from 24.12.2008 to 27.11.2009 constitute the offences punishable Under Section 7 & 13 (2) read with 13 (1) (d) of the Prevention of Corruption Act, 1988.

6. AND Whereas the Government of Andhra Pradesh, being the Competent Authority to remove the said Sri K Nageshwar from service , after fully and carefully examining the material placed before them i.e. copies of FIR, Mediator Report I & II and detailed investigation report and having regard to the facts and circumstances of the case consider that the said Sri K Nageshwar, Hostel Welfare Officer, SC Boys Hostel and incharge B.C. Boys Hostel, Shankarampet (A) of Medak District should be prosecuted in Court of Law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred under Clause (b) of sub-section (1) of section.19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction of the prosecution of the said Sri K. Nageshwar, Hostel Welfare Officer, SC Boys Hostel and incharge B.C. Boys Welfare Hostel, Shankarampet (A) of Medak district for the above said offences punishable Under Section.7 and sub-section (2) of Section 13 read with Clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any provisions of Law for the time being in force and for taking cognizance of the said offences by a Court of Competent Jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(J.RAYMOND PETER,)
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General,
Anti-Corruption Bureau,
A.P., Hyderabad.